IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 23911 of 2005

Between:

Parvathagiri Venkataramana

..... PETITIONER

AND

The Superintendent of Police,

Khammam and 4 others

.....RESPONDENTS

ORDER

Seeking a Mandamus, declaring the acts, deeds and things of the 4th respondent in calling to the police station, detaining in the police station, harassing the petitioner without being any case registered against him, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

It is stated that there are certain disputes in between the petitioner and the 5th respondent in respect of share capital invested in the school administration jointly. After disputes, the petitioner was forced to come out from the school administration and the

5th respondent promised to pay an amount of Rs.8,00,000/- towards his contribution. While so, the 5th respondent is preparing to transfer the school administration in favour of some third party, and without paying the amount as promised, the 5th respondent has been insisting the petitioner to execute registered documents in favour of third party. It is further stated that at the instance of the 5th respondent, the 4th respondent is interfering with the personal life and liberty of the petitioner.

If any complaint is filed against the petitioner and if the allegations of the complaint made out any prima facie case of cognizable offence, it is for the concerned police officer to register F.I.R and investigate the same, but without there being any complaint, the police cannot interfere with the personal life and liberty of the petitioner.

In that view of the matter, I deem it appropriate to dispose of the writ petition, with a direction to the respondents 1 to 4 not to interfere with the personal life and liberty of the petitioner without there being any report/complaint and without there being any registration of F.I.R.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 09.11.2005

Dsr

Note:

Issue CC by tomorrow

B/o

Dsr